

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ARETHA BROWN,

Plaintiff,

V.

ERIC FORBES,

Defendant.

CASE NO. C20-480-RSM

ORDER OF DISMISSAL

This matter comes before the Court *sua sponte* and on the Court's August 31, 2020 Order to Show Cause. Dkt. #17. Plaintiff Aretha Brown, proceeding pro se, filed this action on March 30, 2020. Dkt. #1. Plaintiff simultaneously moved to seal the case, citing concerns about confidentiality. *See* Dkt. #2 ("I had to disclose information that I do not want to make public . . . my future counsel . . . might choose to amend this complaint &/or redact information."). Plaintiff has been granted leave to proceed in forma pauperis. Dkt. #7. Summonses have not yet been issued.

On April 3, 2020, the Court denied Plaintiff's motion to seal on the basis that it found no compelling reason to justify sealing the complaint, let alone the entire case. *See* Dkt. #5 at 3. However, in an abundance of caution and in consideration of Plaintiff's pro se status, the Court afforded Ms.

1 Brown the opportunity to re-file her IFP application, including her proposed complaint, so that she
2 may “remove any exhibits or information she does not wish to include in a publicly-filed document.”
3 *Id.* Plaintiff’s original complaint and its attachments, which included a settlement letter from
4 Plaintiff’s previous counsel, have remained under seal. *See* Dkt. #1.

5 On May 4, 2020, the Court issued an order to show cause notifying Plaintiff that she submitted
6 her IFP application but failed to file an amended complaint that removed information she did not wish
7 to make public. Dkt. #8 at 1. The Court directed Plaintiff to submit a short and plain statement within
8 twenty-one (21) days explaining why this matter should not be dismissed for failure to prosecute. *Id.*
9 at 2. The Court advised that failure to file a response would result in dismissal of this case.

10 On May 29, 2020, the Court dismissed this case after failing to receive a response to the show
11 cause order. Dkt. #9. Upon receiving Plaintiff’s delayed response, Dkt. #12, the Court reopened the
12 case. Dkt. #13. Again, the Court directed Plaintiff to file an amended complaint to remove any
13 potentially sensitive information contained in her original complaint. Plaintiff failed to do so, and on
14 August 31, 2020, the Court issued a second order to show cause. Dkt. #17. (“Because the Court kept
15 Plaintiff’s original complaint under seal to protect any potentially sensitive information, there is no
16 operative complaint in this case. Plaintiff must file an amended complaint in order to proceed.”).

17 As of the date of this Order, Plaintiff has failed to file an amended complaint and has failed to
18 respond to the Court’s August 31, 2020 order to show cause. Accordingly, this matter is DISMISSED
19 for failure to prosecute pursuant to LCR 41(b)(2).

20 DATED this 29th day of September, 2020.

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23 RICARDO S. MARTINEZ
24 CHIEF UNITED STATES DISTRICT JUDGE